

REMARKS

In the Office Action dated June 5, 2007, the Examiner rejects claims 1, 2, 5-15, 36 and 41-42 under 35 U.S.C. 103(b) as obvious over US Patent No. 6,177,931 (“Alexander”) in view of US Patent No. 6,199,080 (“Nielsen”).

Independent claim 1 is directed towards a method for displaying advertising in an electronic program guide on a display device. The method comprises scrolling the list of program cells on the display device in a first direction in accordance with a first scrolling scheme and displaying an advertisement cell within the list of program cells. An advertisement cell is moved in a first direction in accordance with a second scheme different than the first scrolling scheme as the list of program cells scrolls in the first direction, wherein moving the advertisement cell in accordance with the second scheme comprises scrolling the advertisement cell in concurrence with the scrolling of the program cell list during a first time portion in which the program cell list scrolls and keeping the advertisement cell stationary during a second time portion in which the program cell list scrolls. The method further comprises determining the second time portion based upon a first number of program cells which have moved past the advertisement cell while the advertisement cell is kept stationary.

Alexander discusses providing “Virtual Channel Ad Slots” (or “Channel Ads”) providing channel advertising information as a row presented within a “Grid Guide” (Col. 22, ll. 22-23). Alexander discusses that the Channel Ads remain “on the screen at all times...so the ad remains in view at all times” (Col. 22, ll. 45-47).

Nielsen discusses displaying tabular data in a scrolling window. According to Nielsen, a display environment comprises a table that is substantially longer

than the height of the displaying device (Fig. 13a-d, Col. 4, ll. 3-10; Col. 16, ll. 6-10). In the environment of Nielsen, a “relevant edge” (Fig. 13a-d, element 1333) remains present on the display regardless of the position of the window when changed via a scrollbar (Fig. 13a-d, element 1335; Col. 16, ll. 49-59). The relevant edge of the table remains at the top of the display environment, while the contents of the table are scrolled (Col. 16, ll. 49-59).

In the Office Action dated June 5, 2007, the Examiner acknowledge that the Alexander reference fails to teach or suggest “keeping the advertisement cell stationary during a second time portion in which the program cell list scrolls; and determining the second time portion based upon a first number of program cells which have moved past the advertisement cell while the advertisement cell is kept stationary.” (Office Action, p. 3) The Examiner asserts that Nielsen overcomes this deficiency, however, Nielsen does not teach or suggest “determining the second time portion based upon a first number of program cells which have moved past the advertisement cell”.

The Applicant is unable to find a method of positioning the relevant edge based upon the number of cells scrolled past said relevant edge. In contrast, Nielsen teaches away from the presently claimed invention, as the relevant edge is only fixed in a stationary position upon its juxtaposition with a top window edge (Fig. 13d). Although Nielsen may keep a cell stationary during a second time portion, Nielsen does not teach or suggest that the cause of keeping a cell stationary is based upon the number of program cells that have moved past the advertisement cell. Thus, Nielsen fails to determine a second time portion based upon a first number of program cells which have moved past the advertisement cell

Independent claims 36 and 41 comprise elements that are substantially similar to claim 1 and, as such, are allowable for at least the reasons described above with reference to claim 1. Because claims 2 and 5-15 depend from claim 1 and claim 42 depends from claim 41 it is respectfully submitted that these claims are also allowable.

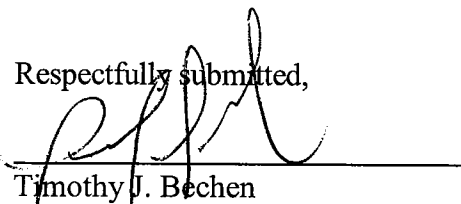
The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over Alexander, Nielsen and the prior art of record. Given the Applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Dated: December 5, 2007

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH THE
PATENT AND TRADEMARK OFFICE EFS FILING
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Respectfully submitted,



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